



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II  
EDISON, NEW JERSEY 08837

**DATE:** December 20, 2006

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**SUBJECT:** Parkway Village  
81-26 150<sup>th</sup> Street  
Jamaica, NY 11435

**POLLUTION REPORT:** 1 (Initial)  
**START DATE:** 23 October 2006  
**COMPLETION DATE:** 17 November 2006  
**RESPONSE AUTHORITY:** CERCLA  
**RESPONSE TYPE:** Time Critical  
**CERCLIS ID NUMBER:** NYN000206033

**SITE ID NUMBER:** 02YV  
**TASK ORDER NUMBER:** 40  
**CONTRACT NUMBER:** EP-W-04-055  
**INCIDENT CATEGORY:** Removal Action  
**NPL STATUS:** Non-NPL

#### **INCIDENT DESCRIPTION**

On October 04, US Environmental Protection Agency (EPA)'s National Enforcement Investigation Center (NEIC) requested the EPA's Removal Program support in the execution of a federal search warrant. The allegation was that during servicing of buried steam pipes at Parkway Village, a Co-op residential complex, work crews removed asbestos containing insulation wrap and buried it in place.

Parkway Village is a co-op residential complex located at 81-26 150<sup>th</sup> Street, Jamaica, Queens County, New York 11435. There are over 100 individual buildings with multiple dwellings. Heat is provided through buried steam pipes from onsite boiler rooms. In addition to the steam pipes other utilities such as electric, gas and telephone are also buried.

A federal search warrant authorized the search of several discrete areas for potentially buried regulated asbestos containing material (RACM).

NEIC requested Removal Programs support in executing the search warrant, specifically, to provide mechanism for unearthing several areas specified in the search warrant, transport and dispose of asbestos containing material (ACM) and grading and seeding of areas excavated.

#### **CURRENT ACTIVITIES**

The search warrant was executed on October 23, 2006. A tent was erected over the excavation site. The tent encompassed a mini-excavator. A negative air machine with a HEPA filter was placed inside the tent to create a negative pressure. Excavated soil brought out to be staged in a roll-off was wetted using water. While the soil was emptied into the roll-off, the soil was wetted. The roll-off was covered at all times with a tarp except for those periods in which excavated soil was emptied in to it.

The decision was made at the onset to treat all material excavated as ACM, including the soil excavated in unearthing the buried steam pipes. The hypothesis being, fragments of the ACM may have been dropped in the excavation pit during the initial removal; backfilling with the original soil may result in further dispersal of the ACM.

During the excavation, ACM mixed with soil in retail garbage bags and loose ACM were noted. In some areas, loose ACM was observed on the surface, in flowerbeds and along a patio fence. The ACM found in the flowerbeds was adjacent to a specified area covered under the search warrant, but since it was not within in the search warrant area, the issue was referred to the New York City Department of Environmental Protection (NYCDEP).

Prior to the execution of the federal search warrant, a section of buried steam pipe adjacent to an area specified in the search warrant had been exposed for servicing. NEIC personnel observed a piece of ACM lying on the surface of the excavated soil. The presence of asbestos was confirmed by NEIC personnel onsite using a polarized light microscopy (PLM). This area was not within the scope of the search warrant and was referred to NYCDEP. NYCDEP issued an order to the co-op to have the soil mitigated as ACM.

### **NEXT STEPS**

No further actions are planned for the Parkway Village by EPA' Removal Program. A cooperative order was agreed upon which essentially deems the entire grounds as ACM and any future excavations at Parkway Village will have to be performed in accordance with federal, state and local asbestos regulations.

### **COSTS\***

	BUDGETED	EXPENDED	BALANCE
Cleanup Contractor (ERRS):	\$425,000	\$400,300	5.8%
REAC Contractor:	\$ 10,000	\$ 10,000	0%
EPA Direct Costs:	\$ 40,000	\$ 35,200	12.0%
TOTAL PROJECT CEILING	\$475,000	\$445,500	6.2%

EPA Indirect Costs:	\$174,000	\$132,200	24.0%
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\* ESTIMATED